O7/28/98 Scott RECEIVEI

O7/28/98 Scott AUG 0 3 1998

My understanding is the Department of Management of Manageme RECEIVED) S Croked Department of Water Resources Upon receipt of your notice of unavailability I contacted Doug Rosenkrance, watermaster. He reported that the decree was on and that the heading at the moore diversion had to be cleaned. Also that water was again flowing through the crossover ditch. Am I correct. ? Per far as

Enclosed are copies of three documents or portions of documents; the 89 notes, the application for exchange and your water transport agreement with the Big Lost River Irrigation District.

The 89 notes refer to the 100% payment of power from decree off. The decree was on.

The application for exchange refers to the point of diversion, known as the moore diversion. The decree was available at the moore diversion. It is my understanding that you have also taken delivery of the decree water at the blaine diversion and the antelope creek.

The water transport agreement refers to who you have contracted with to deliver the decree within and to the boundaries of the of the Big Lost River Irrigation District. You and I have no such contract.

Therefore I believe that your notice of unavailability was in error and that the problem was with your delivery system.

Sincerely,

Mitchell,

Kirby A. Jensen

PS:

I noticed that your waterways transport agreement expires in April 2001. It may be wise to enter into a new agreement while the political winds are favorable.

Auer Kirby A. Jensen + Mitchell D. Sorensen Agreement of water Exchange Delivery Charges Mitch Page 50/50 Electric 50//50 Martain Short Jo. Mitch Find Source Kinby Pays Term of IF. No Source Available Kind, Pays 100% of Power From Decree off Goes to Reversionary 026724 Contract Void a tumb Natural Disarter or war APR 0 1 1993 Drought A.M. 12:07 P.M.

dentificat			
Excluingo	No.	34-0032	<u> </u>

STATE OF IDAHO DEPARTMENT OF RECLAMATION

APPROVED

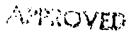
APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange which													
1. Name of Right Holder J. Doyle Jensen & Kirby A. Jensen Post office address Moore, Idaho													
2. Right obtained by: a. Decree to Joseph W. Andersen in Case of Utah Construction Co. (Name) vs. John Abbott et al , Dated 10-21-1925 in U.S. District Court (Name of Court)													
Court, County of Butte & Custer . Fully describe decree No. 34-0032 A													
b. Permit, License, or Claim No. Fig. A in the records of the Department of Reclamation. 3. Source of water Big Lost River tributary to sinks (Name of stream or source)													
4. Date of Priority of Right May 20, 1884													
5. Amount of water a. 4.52 c.f.s. and/or acre feet/annum													
6. Water is used for Irrigation from Apr. 1 to Nov. 1 (Purpose) (Month-Day) (Month-Day) (Purpose) (Month-Day)													
7. Location of point of diversion is SW 1 SE 1 of Section 4 Township 5N Range 26E B.M., in Butte County: Additional points of diversion, if any													
8. Lands irrigated or place of use:													
RANGE SEC. NESS NWS SETS													
26E 17 40 26 40 40 40 40													
 													
Total number of acres to be irrigated 226													

Identification	No	34-0093
Exchange No.	23	354

STATE OF IDAHO DEPARTMENT OF RECLAMATION

APPLICATION FOR EXCHANGE OF WATER



ΑP	PL	CAN	T'S I	RIGH	T - 1	Desc	ribe	the	wate	r rig	tht w	nder	whic	h yo	u wi:	sh to	excl	ango	e water
1.	Name of Right Holder J. Doyle Jensen Post office address Moore, Idaho 83255																		
2.	Rig	ght ol Dec	otain rce 1	ed by o <u>Sy</u>	/: _{Dav} Ivani (Na	vid us B me)	S. aı oyacl	nd k		in	Cas	e of _	<u>Utal</u>	ı_Co	nstru	ıctic	on Co		<u>y</u>
	vs. Abbott and Others , Dated 5-15-1925 in U.S. District (Name of Court)												ct urt)						
	b.	Per	mit,		ense											ee			rtment of
3.	So	urce		ater	Big	Los	st Ri	ver m o	r sou	urce	tr	ibuta	ry to	ئـــ	inks			 	
4.	Da	te of	Pric	•											_				
		nount										c	.f.s	ano	i/or				•
ο.	Αı	пошл	, O1 V	atei			b					a	cre	eet/	'annu	m			
6. Water is used for Irrigation from 4-1 to 11-1 (Purpose) (Month-Day) (Month-Day)																			
from to (Purpose) (Month-Day) (Month-Day) 7. Location of point of diversion is																			
8.	L:	ınds	irrig	ated	or p	la ce	of u	se:											
RAN	GE	SEC.	NEV4	NI NW1/4		SEV4	NEV4	NW1/4	W/4 SW14								SWIA		TOTALS
26	F	8								 						40	40	li l	80
20.																	i	:	
											~								
+			ļ. .																
										\vdash									
-							<u> </u>	-	<u> </u>	-						l			
						_		-	-	 									
<u> </u>							ļ	_				- -		 					
													L		<u>L</u>				

Total number of acres to be irrigated_

the boundaries of the District, and thereafter beyond said boundary on to find the District, and thereafter beyond said boundary on to find the District outside the boundary lines of the district, to the end that said waters would be used on lands described as follows:

(enter legal description)

NEXY EXSEX SCC35 4N 226E

35